

### REMARKS/ARGUMENTS

Favorable reconsideration of this application as currently amended, and in view of the following remarks, is respectfully requested.

After entry of the foregoing amendment, Claims 1-24 remain pending in the present application. Claims 1-24 have been amended to address cosmetic matters of form, and to add clarifying language, noting the format of the superimposed data. Support for this change is found at least at Figure 34 of the specification. No new matter has been added.

By way of summary, the Official Action presents the following issues: the IDS filing of March 15, 2005, has not been considered; Claim 23 stands rejected under 35 U.S.C. § 101; and Claims 1-22 and 24 stand rejected under 35 U.S.C. § 102 as being unpatentable over Ellis et al. (U.S. Patent Publication 2003/0020744, hereinafter “Ellis”).

### Information Disclosure Statement

The Official Action has indicated the IDS, filed March 15, 2005, is not in compliance with 37 C.F.R. § 1.97, 1.98. In this regard, Applicants respectfully direct the Examiner’s attention to MPEP § 609, which states:

Where the information listed is not in the English language, but was cited in a search report or other action by foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the search report or action which indicates the degree of relevance found by the foreign office. This may be an explanation of which portion of the reference is particularly relevant, to which claims it applies, or merely and “X”, “Y”, or “A” indication on a search report.<sup>1</sup>

Applicants note that a corresponding International Search Report was filed along with the IDS of March 15, 2005 indicating the relevance of the listed references as either “X”, “Y” or “A.”

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<sup>1</sup> MPEP § 609, page 600-129.

Therefore, Applicants have complied with their duty of disclosure under 37 C.F.R. 1.98 and MPEP § 609<sup>2</sup>. Accordingly, Applicants respectfully submit that the references cited in the IDS of March 15, 2005 are required to be considered and request indication of such in the next communication.

Rejection Under 35 U.S.C. § 101

With respect to the rejection of Claim 23 as outlined at paragraph 3 of the Official Action, this claim has been amended to recite a computer readable storage medium in accordance with Office guidelines.

Accordingly, Applicants respectfully request the rejection of Claim 23 under 35 U.S.C. § 101 be withdrawn.

Rejection Under 35 U.S.C. § 102

The Official Action has rejected Claims 1-22 and 24 under 35 U.S.C. § 102 as being unpatentable over Ellis. The Official Action states that Ellis describes all of the Applicants' claimed features. Applicants respectfully traverse the rejection.

Applicants' amended Claim 1 recites, *inter alia*, a data processing apparatus that performs data processing to generate an EPG (electronic program guide) to be displayed on a display, including:

.. EPG generating means for generating an EPG in which said program guide data and said statistical data are superimposed for displaying in a two-dimensional grid guide format.

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<sup>2</sup> Furthermore, it is believed that the USPTO provides translation services for Examiners if the Examiner believes that a certain reference may be pertinent and not adequately described in the statement of relevance. Applicants encourage the Examiner to use these translation services consistent with examination guidelines.

Ellis describes a television program guide system in which ratings information regarding a user's viewing rate relative to ranked programs which are arranged one-dimensionally.

Ellis does not disclose or suggest displaying any two-dimensional grid guide format, program guide data and statistical data as recited in the amended claims.

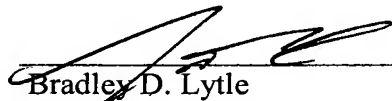
Accordingly, Applicants respectfully request that the rejection of Claims 1-22 and 24 under 35 U.S.C. § 102 be withdrawn.

Conclusion

Consequently, in view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, is in condition for allowance, and such action is respectfully requested at an early date.

Respectfully submitted,

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